

FISCAL NOTE

TO: Chief Clerk of the Senate
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: March 24, 1995

SUBJECT: **SB 879 - HB 1170**

This bill, if enacted, will define noneconomic damages and set a limit of \$250,000 as the maximum amount of noneconomic damages recoverable.

Further, this bill, if enacted, will provide that the limit not be disclosed to the jury. The verdict in excess of \$250,000 would be reduced.

The fiscal impact from enactment of this bill is estimated to be a decrease in state expenditures to the Claims Award Fund; however, such decrease cannot be reasonably determined but is estimated not to be significant. Under current law the states' liability for damages cannot exceed \$300,000 whether in the form of economic or noneconomic damages.

The fiscal impact on local governments from enactment of this bill is estimated to be minimal since all damages are limited to \$130,000 per person.

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first name "James" being the most prominent.

James A. Davenport, Executive Director